

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 23-25 are pending in this application. Claim 24 has been amended without the introduction of any new matter to correct the lack of antecedent basis problem noted in the outstanding Action. Claims 1-22 were previously canceled without prejudice or disclaimer.

In the outstanding Official Action, Claim 24 was rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite and Claims 23-25 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of U.S. Patent No. 6,679,442.

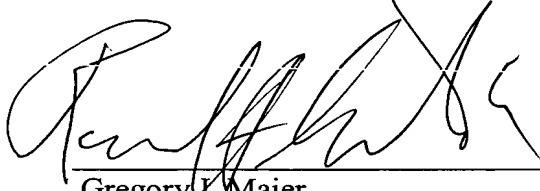
Turning to the rejection of Claim 24 under the second paragraph of 35 U.S.C. § 112 as being indefinite, the basis for this rejection was the lack of antecedent basis for the recital of “the classifier information” at line 14. Accordingly, the word “information” has been added after the word “classifier” appearing on line 4 of Claim 24 as submitted in the Preliminary Amendment. Consequently, withdrawal of this rejection is believed to be in order.

The rejection of Claims 23-25 under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent No. 6,679,442 is believed to be moot in view of the Terminal Disclaimer, in compliance with 37 CFR §1.321(c), filed herewith. Therefore, withdrawal of the rejection of Claims 23-25 under the judicially created doctrine of obviousness-type double patenting over Claim 1 of U.S. Patent No. 6,679,442 is also believed to be in order.

As no further issues are believed to remain outstanding relative to this application, it is respectfully submitted that this application is clearly in condition for formal allowance, and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

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